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April 26, 2021

**By CM/ECF**

The Chambers of the Honorable Judge LaShann DeArcy Hall  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Elliott v. Donegan, et al., 1:18-civ-05680-LDH-SJB**

Dear Judge DeArcy Hall:

On behalf of Plaintiff Stephen Elliott, we write to respectfully request a one-week extension of the deadline to oppose Defendant Moira Donegan's motion for summary judgment on the issue of CDA immunity, which is currently set for April 30, 2021.

Good cause exists for granting this unopposed extension request. Unfortunately, Plaintiff counsel's office has been closed for two weeks due to a COVID-19 outbreak, and the undersigned counsel experienced related issues as a result. Plaintiff has made one previous request for extensions of time to oppose Defendant Donegan's motion for summary judgment based on suffering the loss of an immediate family member. Plaintiff did initially, consent to Defendant Donegan's request for an extension of the initial deadline to move for summary judgment. *See* ECF 83. The undersigned communicated with opposing counsel, Mr. Joshua Matz, Esq., yesterday, and Mr. Matz has graciously consented to this request.

Given the above, we respectfully request an extension of time, until May 7, 2021, to oppose Defendant Donegan's motion for summary judgment on the issue of CDA immunity. As the extension will affect the remainder of the summary judgment briefing schedule, a proposed revised scheduling order is attached to this letter.



Should Your Honor wish to discuss the proposed extension, the undersigned counsel can appear for a virtual conference at the Court's convenience. Plaintiff thanks Your Honor for the Court's courtesy and consideration.

Very truly yours,

*N.E. Lewis* \_\_\_\_\_  
Nicholas Lewis, Esq.  
Nesenoff & Miltenberg LLP

*Counsel for Plaintiff Stephen Elliott*

Attachment

CC: All Counsel (Via ECF)